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TECHNOLOGY CENTER 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): HAIMING WANG ET AL.
Assignee: KLA-TENCOR CORPORATION
Title: SYSTEM FOR ANALYZING SURFACE CHARACTERISTICS
WITH SELF-CALIBRATING CAPABILITY
Serial No.: 09/405,716 Filing Date: September 24, 1999
Examiner: Zandra V. Smith Group Art Unit: 2877
Docket No.: M-10684-2P US

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San Francisco, California
September 10, 2002

COMMISSIONER FOR PATENTS
Washington, D. C. 20231

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING
SECOND APPLICATION

Sir:

Petitioner, KLA-Tencor Corporation, a Delaware corporation having a place of business at One Technology Drive, Bldg. 5, Milpitas, California 95035 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/298,007, filed on April 22, 2999. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second

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